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5                   UNITED STATES DISTRICT COURT  
6                   WESTERN DISTRICT OF WASHINGTON  
7                   AT TACOMA

8                   AUDRA K. STAFFORD,

9                   Plaintiff,

v.

10                  KEY MECHANICAL CO. OF  
11                  WASHINGTON,

12                  Defendant.

13                  CASE NO. C21-5063 BHS-MLP

14                  ORDER ADOPTING REPORT  
15                  AND RECOMMENDATION

16                  This matter comes before the Court on the Report and Recommendation (“R&R”)  
17                  of the Honorable Michelle L. Peterson, United States Magistrate Judge. Dkt. 20. The  
18                  Court having considered the R&R and the remaining record, and no objections having  
19                  been filed, does hereby find and order as follows:

20                  (1)     The R&R is **ADOPTED**;

21                  (2)     Plaintiff’s motion for remand, Dkt. 13, is **GRANTED in part** as to  
22                  Plaintiff’s wage-based claims for travel time and overtime and **DENIED in  
part** as to Plaintiff’s rest and meal break claims;

- (3) Plaintiff's rest and meal break claims, as identified in her second and third cause of actions, are **DISMISSED with prejudice**;
- (4) Plaintiff's request for attorney's fees is **DENIED**; and
- (5) The Clerk shall remand this action to Pierce County Superior Court for adjudication of Plaintiff's remaining wage-based claims and close this case.

Dated this 1st day of June, 2021.

  
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**BENJAMIN H. SETTLE**  
United States District Judge